

Testimony of Mark Stadt, DTE Energy on SB 539 and SB 540

Before the Senate Energy & Technology Committee, October 1, 2013

Thank you Chairman Nofs and committee members for allowing me to testify today in support of the Miss Dig legislative package that is before the committee. My name is Mark Stadt representing DTE Energy and the company supports SB539 and SB 540 (S-1).

I want to especially thank Chairman Nofs for his leadership on preventing underground damage of utility facilities and for the hard work of Greg Moore from his staff in pulling together consensus legislation that promotes safety in Michigan.

DTE Energy has one concern with the package that we would like addressed through an amendment. The issue surrounds the burgeoning area of urban farming where urban areas that still have buried underground utility facilities are being farmed.

This legislation in current form requires that farmers exercise certain care but ONLY when farming around gas facilities. When outside the public right of way, or more than 25 yards from an underground gas facility, farmers can freely farm at any depth without regard for any other facilities.

There are currently over 400 urban farms in the City of Detroit. One developer is actually in the process of creating the "worlds largest urban farm." Detroit's urban farming movement has gained national attention, and we have no doubt that the number of urban farms will rapidly increase in coming years.

What we've seen in the very recent past is that the City abandons the public rights of way once the land is dedicated to urban farming. DTE and other underground utilities don't relocate facilities when this occurs because the cost to do so would be extremely burdensome to our ratepayers.

DTE is concerned that this legislation would give the impression that urban farming practices require no greater caution than farming practices in more rural parts of the state, where electric facilities are more likely to be within public rights of way. While DTE will work very hard to increase educational efforts through the MISS DIG system and through other avenues once this legislation becomes law, we feel we might have little traction with Detroit's urban farmers without support in this legislation.

We are asking that the Senate Energy & Technology Committee consider urban farming and the folks, including children, in the City of Detroit who might be farming around buried high voltage primary distribution facilities.

DTE Energy offers the following amendment to SB 540 (S-1) for consideration by this committee: The amendment's intent is to bring the one call protection of the Miss Dig system to this emerging area of urban farming:

- 1) Amend Sec. 3 (m)(i) by the following: Amend page 4, line 3, after "farming operations" by inserting " outside of city limits of Detroit:"

Thank you for your consideration of my comments today and I would be happy to answer your questions.

Mark Stadt

Manager, State Government Affairs, DTE Energy